

08-12-05 11:18am From-BST&Z San Jose

408 947 8280

T-833 P.002 F-338

Docket No.: 2982P006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DEREK L. COLLISON, ET AL.

Application No.: 09/502,873

Filing Date: February 11, 2000

For: **CERTIFIED MESSAGE DELIVERY AND
QUEUEING IN MULTIPOINT
PUBLISH/SUBSCRIBE
COMMUNICATIONS**

Art Group: 2126

Examiner: Ho, Andy

US PATENT & TRADEMARK
OFFICE

Mail Stop 16
Director of the US Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

I. REFUND REQUEST

This is a request for refund, with respect to the above-identified

☒ application.

☐ patent

(check the following, if desired, and supply copy of statement)

☐ A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

2982P006

Page 1 of 3

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> Filing fee	_____
<input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. 1/16(e))	_____
<input type="checkbox"/> Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. 1.16(e))	_____
<input checked="" type="checkbox"/> Extension of term	_____
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input checked="" type="checkbox"/> third month	<u>1,020.00</u>
<input type="checkbox"/> fourth month	_____
<input type="checkbox"/> fifth month	_____
<input type="checkbox"/> Excess claims	_____
<input type="checkbox"/> Issue fee	_____
<input type="checkbox"/> Petition fee	_____
<input type="checkbox"/> Patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> Patent maintenance fee surcharge	_____
<input checked="" type="checkbox"/> Other _____	_____
_____	_____
_____	_____
TOTAL REFUND REQUESTED	<u>1,020.00</u>

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

With respect to the response to Final Office Action filed on July 11, 2005, a three-month extension was requested. However, applicants submit that the response was filed within the two-month extension deadline.

Applicants submitted a check in the amount of \$1810.00, which includes the three-month extension fee of \$1020.00. Applicants should have submitted a check in the amount of \$1240.00, including the two-month extension fee of \$450.00. Applicants request a refund for the difference in fees, a total refund of \$570.00.

Copies attached:

Cancelled check No. 4297; Fee Transmittal and the Petition for Extension of Time submitted on 7/11/2005

IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Account No. 02-2666
☐ refunding payment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


Date: August 12, 2005


Tarek N. Fahmi, Reg. No. 41,402

12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (408) 947-8200

CERTIFICATE OF MAILING/TRANSMISSION

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Sandra D. Espinoza

08/12/05

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08-12-05 11:18am From-BST&Z San Jose

408 947 8280

T-833 P.005/007 F-338

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

A PARTNERSHIP INCLUDING LAW CORPORATIONS
60 SOUTH MARKET STREET, SUITE 610
SAN JOSE, CA 95113-2392
(408) 947-8200

WELLS FARGO BANK

4297

004297

11-24
1210(8)

July 11, 2005

PAY

ONE THOUSAND EIGHT HUNDRED TEN & NO/100

DOLLARS \$

1,810.00

TO
THE
ORDER
OF

Director of the United States
Patent & Trademark Office

Nathan P. Elder

AUTHORIZED SIGNATURE

0004297 012300024844495878455

0000181000

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, BLEED THRU NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS

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FEDERAL RESERVE BOARD OF GOVERNORS REG-CC

FEE TRANSMITTAL for FY 2005		Complete If Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number	09/502,873
		Filing Date	February 11, 2000
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Derek L. Collison
		Examiner Name	Ho, Andy
1,810.00		Art Unit	2126
		Attorney Docket No.	2982P006

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below. ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☒ Credit any overpayments

FEE CALCULATION

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	785	Extension for reply within fourth month	1,020.00
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1808	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) <u>1801 Request for Continuation Examination</u>					
SUBTOTAL (2)					1,810.00

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Nathan R. Elder	Registration No. (Attorney/Agent)	55,150
Signature	<i>Nathan P. Elder</i>	Telephone	(408) 947-8200
		Date	7.11.05

Based on PTO/5B/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/15/2004.
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Docket No.: 2982P006

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Art Group: 2126

Examiner: Ho, Andy

PETITION FOR EXTENSION OF TIME PURSUANT TO 37 C.F.R. § 1.136(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

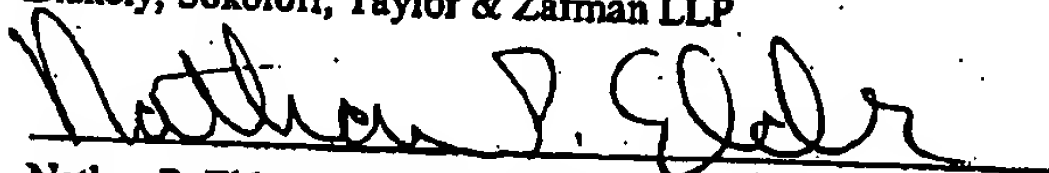
Sir:

In accordance with 37 C.F. R. § 1.136(a), Applicants for the above-identified application respectfully Petition the Commissioner for a three (3) month extension of time, extending the period for response to August 09, 2005, from the Final Office Action dated February 09, 2005. The petition filing fee of \$1,020.00 and a Response to Final Office Action are attached.

If it should be determined that a longer extension of time is required to prevent this application from being abandoned, please charge any additional fees to Deposit Account No. 02-2666. A copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LLP

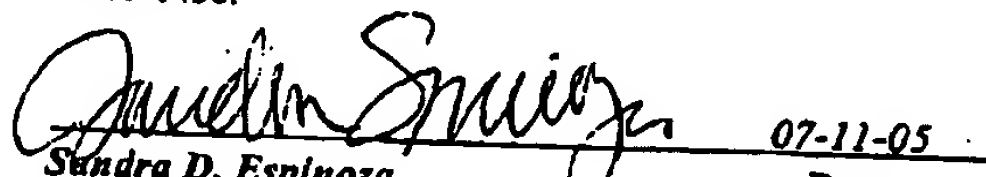

Nathan P. Elder, Reg. No. 55,150

Date: July 11, 2005

12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (408) 947-8200

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Sandra D. Espinoza
Date 07-11-05

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (408) 947-8200

INTELLECTUAL PROPERTY LAW
12400 WILSHIRE BOULEVARD, 7TH FLOOR
LOS ANGELES, CA 90025

FACSIMILE: (408) 947-8280

F-338
PATENT & TRADEMARK
OFFICEUS PATENT & TRADEMARK
OFFICE**FACSIMILE COVER SHEET**

Deliver to: Latrice Sims, USPTO Art Group: 2126
 Facsimile No.: 571-273-6500 Date: August 12, 2005
 From: Tarek N. Fahmi, Reg. No. 41,402
 Our Docket No.: 2982P006 Number of pages 7 including this sheet.
 Application No.: 09/502,873 Filing Date: 2/11/2000
 Docket Due Date(s): _____

Enclosed are the following documents:

- | | |
|--|---|
| <input type="checkbox"/> Amendment: <u>After Final</u> (<u> </u> pgs) | <input type="checkbox"/> Issue Fee Transmittal |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs) | <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> Application: _____ | <input type="checkbox"/> Petition for: _____ |
| (<u> </u> pgs) w/cover & abstract | <input type="checkbox"/> Request for Continued Examination (RCE) |
| <input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs) | <input type="checkbox"/> Reply Brief (<u> </u> pgs) |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u> | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i) |
| <input type="checkbox"/> Continued Prosecution Application (CPA) | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs) | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter |
| <input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures | <input type="checkbox"/> Response to Written Opinion (<u> </u> pgs) |
| <input type="checkbox"/> Extension of Time: _____ | <input type="checkbox"/> Terminal Disclaimer |
| <input type="checkbox"/> Fee Transmittal (in duplicate) | <input type="checkbox"/> Transmittal of Publication Fee Due |
| <input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs) | <input type="checkbox"/> Transmittal Letter |
| <input checked="" type="checkbox"/> Other <u>Request for Refund; Copies of Cancelled Check No. 4297, the Fee Transmittal and the Petition for Extension of Time submitted on 7/11/2005</u> | |
| ***Kindly acknowledge receipt of the attached.*** | |

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Sandra D. Espinoza
 Sandra D. Espinoza

8/12/2005
 Date

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Sandra D. Espinoza

07-11-05

Date

07/18/2005 HUUONG1 00000025-09502873-

12-FC:1253

1020.00-OP

Adjustment date: 10/20/2005 EEKUBAY1
07/18/2005 HUUONG1 00000025-09502873
02 FC:1253 -1020.00 OP

10/20/2005 EEKUBAY1 00000002 09502873

450.00 OP

01 FC:1252

Repl'n. Ref: 10/20/2005 EEKUBAY1 0009241300
DAH:022666 Name/Number:09502873 \$570.00 CR
FC: 9204